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September 12, 2002

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GROUP 1600

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Brobeck, Phleger & Harrison LLP 12390 El Camino Real San Diego, California 92130-2081 PHONE 858.720.2500 FAX 858.720.2555 www.brobeck.com

PAGES TO FOLLOW COVER	34 USER ID 6781	CMID NUMBER	030727.0027.CON
TO			
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Dameron Jones,	Group Art Unit 1616	(703) 308-4640	(703) 308-4556
Examiner	U.S. Patent & Trademark Office		
FROM			
SENDER	EMAIL	TELEPHONE	FAX
Diana L. Bush, Ph.D., Esq.	Dbush@Brobeck.com	(858) 720-2826	(858) 720-2555

MESSAGE

Re:

U. S. Patent Application Ser. No. 09/978,454

Filed Date: October 15, 2001

Dear Examiner Jones:

Per our telephone conversation, please find the attached "Remarks" document, along with copies of previously filed First, Second, and Third Preliminary Amendments.

Diana L. Bush, Ph.D., Esq.

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Patent 030727.0027.CON1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Erion et al.

Serial No.:

09/978,454

Filed: October 15, 2001

Title: NOVEL PRODRUGS FOR

PHOSPHORUS-CONTAINING

COMPOUNDS

Group Art Unit: 1616

Examiner: Dameron Jones

Commissioner for Patents Washington, D.C. 20231

REMARKS

Dear Sir:

The Applicants wish to thank the Examiner for her consideration in returning their representative's phone call regarding the preliminary amendments that are not in the file in this matter.

As per the Examiner's request, the Applicants include herewith copies of the three preliminary amendments previously filed on January 22, 2002, January 25, 2002 and March 27, 2002 and the Auto-Reply Facsimile Transmissions from the PTO, acknowledging receipt of the amendments.

> CERTIFICATE OF TRANSMISSION (37 C.F.R. §1.8)

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Third Preliminary Amendment Serial No. 09/978,454 Page 2 of 2

030727.0027.CON1

The Applicants respectfully request that the Examiner withdraw the Office Action mailed August 29, 2002 in order to consider all of the preliminary amendments.

Respectfully Submitted,

Date: 91202

Rv

Diana L. Bush Reg. No. 51,109

Brobeck, Phleger & Harrison LLP 12390 El Camino Real San Diego, CA 92130-2081 Direct Dial: (858)720-2500

Facsimile: (858)720-2555

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Page 001

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January 22, 2002



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MESSAGE

RE: U.S. Patent Application Serial No.: 09/978,454

Filing Date: October 15, 2001

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Patent 030727.0027.CON1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:) Oroup Art Unit: 1619
Mark D. Erion, et al.) Examiner: To be assigned
Serial No.: 09/978,454)
Filed: October 15, 2001))
For: NOVEL PRODRUGS FOR PHOSPHORUS-CONTAINING COMPOUNDS)))
TRANSMI	ITTAL LETTER
Commissioner for Patents Washington, D.C. 20231	
Sir:	
Enclosed are the following documents:	
First Preliminary Amendment; and	
Associate Power of Attorney.	
•	E OF TRANSMISSION (C.F.R. §1.8)
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Date of Transmission	Signature of Person Transmitting Paper

Patent 030727.0027.CON1

No fee is believed due with this submission; however, the Commissioner is authorized to charge any fee required or to credit any overpayment to our Deposit Account No. 50-1273.

Respectfully submitted,

BROBECK, PHLEGER & HARRISON LLP

Dated: 1/22/02

By:

Jessica R. Wolff Reg. No. 37,261

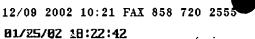
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BROBECK, PHLEGER & HARRISON LLP

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Janice Crisp	JCrisp@	Brobeck.com		(858) 720-2893	(858) 720-2555

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Re:

U.S. Patent Application Serial No. 09/978,454

Filing Date: October 15, 2001

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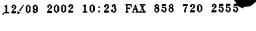
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Mine L. Buch, Ph.D.	DBush@Brobcok.por			
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FROM SENDER	EMAIL	TELEPHONE	FAX
Diana L. Bush, Ph.D.	DBush@Brobeck.com	(858) 720-2885	(858) 720-2555

MESSAGE

Re:

U.S. Patent Application Serial No. 09/978,454

Group Art Unit 1619

Filing Date: October 15, 2001

Please find the attached Third Preliminary Amendment in the above-referenced matter.

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